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11040 U.S. PTO
09/803687
03/09/01

BOX PATENT APPLICATION
ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, DC 20231

Express Mail No.: EL674750011US
Attorney Docket No.: 0492479-0018
Date Filed: March 9, 2001

UTILITY PATENT APPLICATION TRANSMITTAL
(FOR NEW NONPROVISIONAL APPLICATIONS UNDER 37 C.F.R. § 1.53(B))

Dear Sir:

Please find enclosed a patent application and papers as follows for:

Inventor(s):

Given Name (first and middle)	Family Name or Surname	Residence (City and State or Foreign Country)
David T.	Scadden	Weston, MA, US
Tao	Cheng	Newton, MA, US

Title of the Invention: P27 AND P21 IN GENE THERAPIES

A) APPLICATION ELEMENTS:

- 1) X **Fee Transmittal Form** (original and duplicate submitted for fee processing)
- 2) X **Applicant Claims Small Entity Status** (see 37 CFR 1.27)
 - a) X **Statement Verifying Small Entity Status** (optional)

3) X **Specification**

TOTAL PAGES: 59

- Descriptive Title of the Invention
- Cross References to Related Applications (if applicable)
- Statement Regarding Federally Sponsored R & D (if applicable)
- Reference to sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Summary of the Invention
- Description of the Drawing (if filed)
- Detailed Description of the Invention
- Claim(s)
- Abstract of the Invention

4) X **Drawing(s)** (35 U.S.C. § 113)

TOTAL SHEETS: 16

- a) Formal Drawings (if checked)

5) X **Oath or Declaration**

TOTAL PAGES: 3

- a) Newly Executed (original or copy)
- b) Copy from a prior application (37 C.F.R. § 1.63(d))-for continuation/divisional application
- i) DELETION OF INVENTOR(S): Signed Statement deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).
- c) X Unexecuted

6) **Application Data Sheet**. See 37 CFR 1.76.

7) **CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)**

8) **Nucleotide and/or Amino Acid Sequence Submission** (if applicable, all are necessary)

- a) Computer Readable Form (CRF)
- b) Specification Sequence Listing on:
- i) CD-ROM or CR-R (2 copies); or
- ii) Paper
- c) Statements verifying identity of above copies

B) ACCOMPANYING APPLICATION PARTS:

- 9) X Assignment Papers (cover sheet & document(s))
- 10) X 37 C.F.R. § 3.73(b) Statement (when there is an assignee)
- 11) X Power of Attorney
- 12) ___ English Translation Document (if applicable)
- 13) ___ Information Disclosure Statement (IDS)/PTO-1449
- 14) ___ Copies of IDS Citations
- 15) ___ Preliminary Amendment
- 16) X Return Receipt Postcard (MPEP 503) (specifically itemized)
- 17) ___ Certified Copy of Priority Document(s) (if foreign priority is claimed)
- 18) ___ OTHER: (if applicable, specified below)

C) FOR CONTINUING APPLICATIONS: (the appropriate box is checked, and certain information is provided below and in a preliminary amendment)

___ CONTINUATION ___ DIVISIONAL ___ CONTINUATION-IN-PART (CIP)

OF PRIOR APPLICATION NO: _____

FILED: _____

EXAMINER: _____

GROUP/ART UNIT: _____

FOR CONTINUATION OR DIVISIONAL APPLICATIONS ONLY: The entire disclosure of the prior application, from which an oath or declaration is supplied as detailed above, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.

D) METHOD OF PAYMENT OF FILING FEES FOR THIS APPLICATION:

- ☒ Applicant claims small entity status 37 CFR 1.27
- ☒ A check is enclosed to cover the filing fees as determined on the fee transmittal enclosed herewith
- ☒ The commissioner is hereby authorized to charge filing fees or credit any overpayment to deposit account number 03-1721.

Total filing fee amount _____

E) CORRESPONDENCE ADDRESS:

_____ Customer Bar Code Label: _____

☒ Correspondence Address:

C. Hunter Baker, M.D., Ph.D.
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Respectfully Submitted,



C. Hunter Baker, M.D., Ph.D.
Reg. No.: 46,533

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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$1,761.00)

Complete if Known

Application Number	
Filing Date	March 9, 2001
First Named Inventor	Scadden et al.
Examiner Name	
Group Art Unit	
Attorney Docket No.	0492479-0018

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit
Account
Number

03-1721

Deposit
Account
Name

Choate, Hall & Stewart

- ☒ Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17

- ☒ Applicant claims small entity status.
See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Fee Fee Fee Fee Description

Code (\$) Code (\$) Code (\$)

101	710	201	355	Utility filing fee	355.00
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$355.00)

2. EXTRA CLAIM FEES

Total Claims 74 - 20** = 54 x 9.00 = 486.00
 Independent Claims 26 - 3** = 23 x 40.00 = 920.00
 Multiple Dependent =

Large Entity Small Entity

Fee Fee Fee Fee

Code (\$) Code (\$) Code (\$)

103	18	203	9	Claims in excess of 20	
102	80	202	40	Independent claims in excess of 3	
104	270	204	135	Multiple dependent claim, if not paid	
109	80	209	40	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$1,761.00)

*or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Fee Code	Large Entity (\$)	Small Entity (\$)	Fee Description	Fee Paid	
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$0)

SUBMITTED BY

Name (Print/Type) C. Hunter Baker, M.D., Ph.D.

Registration No. (Attorney/Agent)

46,533

Complete (if applicable)

Telephone 617-248-5000

Signature

C. Hunter Baker

Date

March 9, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.